

# Zoning Regulation Amendment Request Form

**Howard County**  
**Comprehensive Zoning Plan**  
Department of Planning and Zoning

[Word 2007 Version]  
Before filling out this form, please read the  
Instructions section at the end of the form.

## A. Applicant Information

- 1 Applicant Name Merritt-MR, LLC
- 2 Mailing street address 2066 Lord Baltimore Drive  
or Post Office Box  
City, State Baltimore, Maryland  
ZIP Code 21244  
Telephone (Main) 410-298-2600 (Josh Asbury)  
Telephone (Secondary)  
Fax
- 3 E-Mail

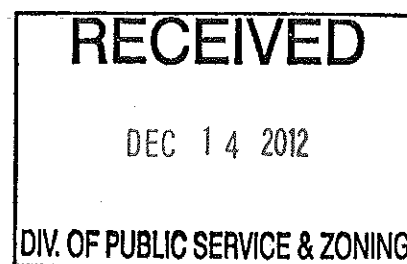
## B. Representative Information (If different than above).

- 4 Name Talkin & Oh, LLP  
Mailing street address 5100 Dorsey Hall Drive  
or Post Office Box  
City, State Ellicott City, Maryland  
ZIP 21042  
Telephone (Main)  
Telephone (Secondary)  
Fax 410-964-2008  
E-Mail

410-964-0300 (Sang Oh)

soh@talkin-oh.com

- 5 Association with Applicant Attorneys



## C. Brief Description of the Requested Zoning Regulation Amendment

- 6 To amend Section 115.B. of the Zoning Regulations for the POR district to (1) permit by right the manufacture, assembly and service of electronic, communications, computer, medical, scientific, optical, photographic or technical instruments, equipment and components, (2) allow for limited retail and personal service uses in standalone structures in a development of at least 25 acres containing at least 100,000 square feet of office or research and development space or both limited, however, to a maximum of 10 percent of the total square footage of the office or research and development space, and (3) add fast food restaurants and laundry and dry cleaning establishments to the permitted limited uses of Section 115.B.37.

**D. Explanation of the Basis / Justification for the Requested Zoning Regulation Amendment**

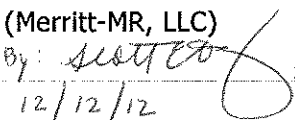
- 7 The Petitioner is the developer of Meadowridge 95, a business park overlooking Interstate 95 on Meadowridge Road. The business park currently contains over 100,000 square feet of developed office space, with the potential for 100,000 square feet or more in future buildings. By a concurrent map amendment request, the Petitioner is seeking to rezone its property from the CCT district to the POR district in order to provide its tenants with onsite amenities befitting a development of the Property's size and potential. This requested Zoning Regulation Amendment seeks to allow the Petitioner increased flexibility to meet the needs of its business tenants, which will enable the Petitioner to continue development of the Property in an attractive and high class manner.

See attached Continuation Sheet.

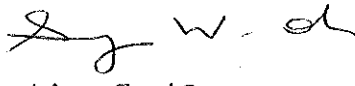
**E. List of Attachments/Exhibits**

- 8 1. Exhibit – Proposed Amendment Language. 2. Continuation Sheet.

**F. Signatures**

9	Applicant	Applicant (2)
	(Merritt-MR, LLC)	
	By:  CEO	
	Date 12/12/12	Date

☐ Additional applicant signatures? **X** the box to the left and attach a separate signature page.

10	Representative Signature	
	Date	12-13-12

DPZ Use Only		Amendment No.	
Notes			

## Exhibit - Proposed Amendment Language

### **Zoning Regulations Section 115.B**

28. MANUFACTURE, ASSEMBLY AND SERVICE OF ELECTRONIC, COMMUNICATIONS, COMPUTER, MEDICAL, SCIENTIFIC, OPTICAL, PHOTOGRAPHIC, OR TECHNICAL INSTRUMENTS, EQUIPMENT AND COMPONENTS

Renumber the remainder of Section 115.B accordingly.

### **Section 115.B.37**

Retail and personal service uses limited to the following, provided that (1) such uses shall be located within a building used primarily for offices or research and development establishments and shall occupy no more than 25 percent of the floor area of the building, OR (2) SUCH USES ARE PART OF A DEVELOPMENT OF AT LEAST 25 ACRES CONTAINING 100,000 SQUARE FEET OR MORE OF OFFICE OR RESEARCH AND DEVELOPMENT SPACE OR BOTH AND PROVIDED THAT SUCH USES CONSTITUTE NO MORE THAN 10 PERCENT OF THE FLOOR AREA OF THE TOTAL DEVELOPMENT:

...

- D. Restaurants, carryout, including incidental delivery services, AND RESTAURANTS, FAST FOOD.
- E. LAUNDRY AND/OR DRY CLEANING ESTABLISHMENTS.

## Continuation Sheet

### **D. Explanation of the Basis / Justification for the Requested Zoning Regulation Amendment**

7 The Petitioner is the developer of Meadowridge 95, a business park overlooking Interstate 95 on Meadowridge Road. The business park currently contains over 100,000 square feet of developed office space, with the potential for 100,000 square feet or more in future buildings. By a concurrent map amendment request, the Petitioner is seeking to rezone its property from the CCT district to the POR district in order to provide its tenants with onsite amenities befitting a development of the Property's size and potential. This requested Zoning Regulation Amendment seeks to allow the Petitioner increased flexibility to meet the needs of its business tenants, which will enable the Petitioner to continue development of the Property in an attractive and high class manner.

This Zoning Regulations Amendment requests that standalone retail and personal service establishments be permitted in POR developments of at least 25 acres that contain at least 100,000 square feet of office or research and development space or both and that such uses be limited to no more than 10 percent of the floor area of the office buildings on such development. With these size limitations, the majority of POR developments will continue to operate under the regulations currently in place. For larger properties and more substantial developments, however, standalone limited retail and personal service uses would allow increased flexibility for providing conveniences necessary to attract and retain first class business tenants.

Requiring retail and personal service establishments to be located in the same building as office uses is intended to keep the retail and service uses ancillary to the office use. For larger developments, however, this requirement is unnecessary. When office developments contain 100,000 square feet or more, spread over 25 acres or more, the limited retail and service uses permitted in Section 115.B.37 would remain ancillary and supportive of the office use even if located in standalone buildings.

Furthermore, forcing retail and service uses into office buildings in larger developments has unintended effects. For multi-building developments, tenants and employees of one building may lack knowledge of the existence of a retail or service establishment located in a separate office building. Not only does this serve to deprive the business park tenants of the benefits of these uses, but the retail and service establishments are able to attract only a portion of the office park's employees. Because of this, demand for such retail and service space is lower, making it difficult to attract and sustain high quality retail and service tenants.

Instead, retail and service establishments should be permitted in standalone structures in these larger office developments. The retail and service uses could be located in high visibility areas to attract and serve the employees of all of the office buildings in the park. Instead of tenants of one office building traveling to a separate office building for the retail or service uses, which would currently be permitted under the regulations, those tenants would instead travel to a standalone structure.

The retail and service establishments would also have the further benefit of attracting additional customers. Retail and service uses would still primarily serve the office park, but customers coming from outside the park could supplement the establishments' business and create a more sustainable retail and service environment. In turn, this would lead to a more attractive retail location, attracting higher quality tenants.

Regarding the other changes proposed in this amendment request, the requested additions of the fast food and laundry/dry cleaning uses are compatible with the personal service uses already permitted by Section 115.B.37.b. In an office park setting, employees arguably have a much greater need for convenient access to quick meals and laundry and dry cleaning services than for photographers.

This regulations amendment petition also seeks to permit by right the manufacture, assembly, and service of electronics, communications, computer, medical, scientific, optical, photographic or technical instruments,

equipment, and components. The stated purpose of the POR district is to "permit and encourage diverse institutional, commercial, office research and cultural facilities." HOWARD COUNTY ZONING REGULATIONS § 115.A. The POR district currently permits by right research and development establishments, which includes light manufacturing uses. Given the office and research nature of the POR district, the light manufacturing and service of computer and technical equipment is a natural and compatible use for the district.